



## Positive Approaches Toward Legal Responsibilities

Seminar in the **TRAINING LEADERS of CADETS** curriculum  
“Managing a Cadet Program” Block • Lesson M5

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# Introduction

“They are not *your cadets*,



they are *my children*.”

- a father of two CAP cadets

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# Overview & objectives

**Goal:** Comprehend legal issues in the context of the Cadet Program's goal of developing dynamic Americans and aerospace leaders

Discuss the concept of *in loco parentis*

Describe common legal issues affecting the Cadet Program

Case study

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*In loco parentis*

## **Senior members stand in place of parents**

### **Key concepts:**

Take moral responsibility – the “60 Minutes” test

Protect cadets’ health and safety

Treat parents as partners

Remember that the jury will be comprised of parents

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“Adult cadets” are still cadets

**“I’m not a minor. You have no right to require my parents’ signatures!”**

Be faithful to the parent by keeping them informed  
Membership is a privilege, not a right

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## Cadets as drivers

**“I have a driver’s license. Why can’t I drive the CAP van?”**

CAPR 77-1 restricts who can drive CAP vehicles  
Statistically, teen drivers are a bad risk

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## Cadets as drivers

**“I’m 16 and have my license. Can I drive my buddies to encampment?”**

☐ Yes

☐ No

*Both answers are wrong!*

By granting or denying permission, you tell the world you have authority, and therefore responsibility for the driver.

Show moral responsibility by communicating with parents

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## Reporting suspected abuse

**“Your honor, I don’t know why I’m here. I told my wing commander everything I knew.”**

### **Questions to ask your local legal officer:**

Is CAP or any of its members “mandatory reporters” of suspected child abuse?

Is it enough that the wing commander alone report the suspected abuse?

How strong must my suspicion be before I am bound to report it?

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# Fraternization & dating

## **Command issues**

- Complicates CAP working relationships
- Often seen as a problem waiting to happen
- Young people often lack the maturity to deal with relationships, and be in “command” over their friend

## **Legal issues**

- Minors can not consent; sex without consent is a crime
- In many states, minors have a right to privacy

## **Moral issues**

- Literally, “fraternization” is a good thing
- Fraternization as a code for sex becomes a moral issue for the participants and the observers

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## Fraternization & dating

**“I’ve learned that a cadet is involved in a sexual relationship with another member of the squadron. Do I have a duty to report? Do I have a right to report?”**

Answer:

It depends on local law. **Talk with your legal officer.**

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# Case study

Listen to the case

Identify the legal issues,  
paragraph by paragraph

Describe what you would  
do next

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Positive Approaches Toward Legal Responsibilities (M5)

## Case Study

As Deputy Commander for Cadets of the Roman Polanski Composite Squadron of Bliss Wing, you are also project officer for this weekend's fly-in at Big Grassy Field. Your squadron commander signed the agreement with the Really Early American Aircraft Association in which he agreed to provide cadets to walk security patrols 24 hours a day during the 3-day fly-in, in exchange for REAAA flying each of your cadets around the pattern.

It is Saturday night, one day to go. It's been tough for you as the only senior there to supervise some 50 cadets from around Bliss Wing and you look forward to Sunday night. You're grateful that you've got some supervisory assistance from some cadet officers (ages 15 to 19) so that you've been able to get a little sleep. It doesn't help that Grassy Field is so big, but the local golf club has lent CAP six golf carts, so cadets can get to and from their assignments fairly quickly.

Your daughter has just awakened you in your private office in the FBO where all the off duty cadets are sleeping in sleeping bags on cots on the hangar floor. (The squadron commander got a deal on this, too! The agreement he signed with them merely required that we indemnify them if there were any lawsuits arising because our being on the property.)

"[Dad / Mom]," she says hesitatingly. "I've got to talk with you about something, but you've got to promise not to tell."

You explain to her that you can't make any such promise. With a little effort on your part, you get her to tell her story.

"Sgt. Chris Largent just told me about sneaking out of the hangar with Lt. Larry Flint. (You know, the cute blonde cadet from Big Beach? He just got his driver's license and plans to drive both of them home after the fly in tomorrow.) Chris went on and on about how private and romantic it was for them in the dark, under the wing of that B-17. Chris even kept a couple of these as souvenirs." (At that, she hands you an empty condom wrapper.)

As you silently count to ten, and then to twenty, she goes on: "But now, what happened last year to Julio and Marge Largent has Chris is worried. Last year, when their father learned that their sister Marge was no longer "pure," he beat her up and threw her out of the house. The same thing happened when he learned what their younger brother, Julio, was doing down by the schoolyard. It turns out, Julio is gay. The brother and sister are now 14 and 16. Both of them lived on the street for weeks until a distant relative took them home."

You've now counted to fifty. What do you do now?

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## Conclusions

1. Maintain on-going communication with parents
2. The Cadet Program is a learning environment
3. Remember the “60-Minutes” test
4. Always confer with your legal officer

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